

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

May 15, 2006

PRESENT: Tom Cowan, Chairman
Terry Janicz
John Olaf
Rick Meahl
Andy Kelkenberg
Don Hoefler
John Potera
Christine Falkowski, Recording Clerk
Rebecca Baker, Zoning Officer

The Planning Board meeting was called to order by Tom Cowan at 7:30PM.

Public Hearing: 3-Lot Minor Subdivision – 6801 Maple Road – Matt Karcher

The public hearing was opened at 7:38PM. Proof of publication was read. Matt Karcher appeared and has made application to split off three lots, one of which has a house he plans to sell. This 100-acre parcel is in the floodplain which has building limitations. Since a LOMA application takes some time, it was suggested that Matt make application now, since he does not plan to sell them immediately. Terry made a motion to close the public hearing at 7:40PM, seconded by Don:

Tom Cowan	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
Rick Meahl	-Aye
Andy Kelkenberg	-Aye
John Potera	-Aye
Don Hoefler	-Aye

Andy made a motion to approve the subdivision with the conditions that (1) The buyer of the existing house obtain a floodplain development permit from the Town prior to receiving a building permit for any out-buildings and (2) New homes on the other two lots be built without a basement or a LOMA application to FEMA approved, seconded by Terry:

Tom Cowan	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
Rick Meahl	-Aye
Andy Kelkenberg	-Aye
John Potera	-Aye
Don Hoefler	-Aye

Public Hearing: 2-Lot Minor Subdivision - Billo Quarry – LF One, LLC (Frey, Kelkenberg & Willert)

The public hearing opened at 7:45PM. Proof of publication was read. Jack Willert appeared. Items received were (1) drainage proposal for homes plotted on each lot with drainage calculations (2) revised site plan showing lot line jogged around the pond and (3) \$1,425 fee. Mr. Willert stated they plan to close on the purchase from LaFarge early next week, and that his personal purchase of the 47+acre leftover piece fell through. Terry made a motion to close the public hearing at 7:47PM, seconded by Rick:

Tom Cowan	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
Rick Meahl	-Aye
Andy Kelkenberg	-Aye
John Potera	-Aye
Don Hoefler	-Aye

In a memo dated May 9, 2006, Wendel Duchscherer recommends (a) that any further development (or subdivision of land) within the lots shown on the site plan will require additional calculations to be submitted to the Town Engineer for review. This future submission will include detailed drainage calculations and a site plan for review, and must take into account the findings of the calculations by RJR Engineering and (b) the applicant should be made aware that the NYSDEC has commented that historically a high water table can be found in this area. It will be the responsibility of the applicant to obtain all necessary permits and approvals from the Health Department regarding the design and installation of the septic system for the single family homes. It will also be the responsibility of the applicant to notify potential buyers that this high water table exists.

2-Lot Minor Subdivision - Billo Quarry – LF One, LLC (Frey, Kelkenberg & Willert) (con’t)

It was relayed to Mr. Willert that a building permit will not be issued to H.K. Frey or to Bill Lorenz until they each own the respective parcels. John O. made a motion to approve the subdivision contingent upon the sale of land from LaFarge Corporation to LF One, LLC, seconded by Don:

- | | |
|-----------------|------|
| Tom Cowan | -Aye |
| Terry Janicz | -Aye |
| John Olaf | -Aye |
| Rick Meahl | -Aye |
| Andy Kelkenberg | -Aye |
| John Potera | -Aye |
| Don Hoefler | -Aye |

Mr. Willert stated that LF One, LLC is considering the purchase of a 51-acre parcel from LaFarge, south of Hiller Road and East of Billo Road. A one-lot minor subdivision will most likely be applied for.

Pre-Application Conference – Site Plan - Faith Fellowship Church

Dave Sutton and Matt appeared. In 2004 an 18,000 sq. ft. sanctuary addition and parking lot expansion were approved. They now wish to add a gathering space for before and after services at 512 sq. ft. each with a center area. This would be added to the east side of the new sanctuary over a currently grass surface. The structure will be one-story with a shed roof, with no additional parking. The retention pond at the front is currently under improvement and will be presented at the June 12th meeting along with a rendering to include drainage, elevations, landscaping, etc.

1-Lot Minor Subdivision Application – Rapids & Greenbush Roads – Dick Beyer

Mr. & Mrs. Beyer attended. Mr. Beyer provided the State wetland flagging report done on July 10, 2002, which is acceptable as it is within the last eight years. The lot he plans to sell for development will front on Rapids Road and be plotted outside the 100’ State wetland buffer. There are also Federal wetlands on this site to the easterly boundary closer to Greenbush Road, which must also be flagged in the future if developed. The May 15th memo prepared by Wendel Duchscherer was given to the Beyers. Don made a motion to approve the subdivision, seconded by Terry:

- | | |
|-----------------|------|
| Tom Cowan | -Aye |
| Terry Janicz | -Aye |
| John Olaf | -Aye |
| Rick Meahl | -Aye |
| Andy Kelkenberg | -Aye |
| John Potera | -Aye |
| Don Hoefler | -Aye |

3-Lot Minor Subdivision Application - Swift Mills Road – Mika, etal (Palmer Estate)

Kathy Mika, Mr. Mika and Michael O’Lear appeared. The public hearing was held on April 3rd. A revised plan was presented showing the existing ditch on the westerly lot, which was moved further west. The Federal wetlands are flagged on the previous plan, but not on this new one and the 30’ wide drainage easement is shown on the new one, but not the old one. Lot dimension are shown on the new, but not the old. Site plan fee was paid. Tom made a motion to approve the subdivision with the following conditions (1) The site plans are married into one document and (2) The drainage easement be executed, seconded by John O.:

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|-----------------|------|
| Tom Cowan | -Aye |
| Terry Janicz | -Aye |
| John Olaf | -Aye |
| Rick Meahl | -Aye |
| Andy Kelkenberg | -Aye |
| John Potera | -Aye |
| Don Hoefler | -Aye |

Major Subdivision – Stage & Havens – Tatara

A feasibility study is being conducted by Schutt Engineering for this concept. One must refer to the Town’s design standards for the layout of a public street. An unofficial document from 1989 “Road Construction Requirements – Town of Newstead Highway Department” was located. A quick review by Wendel indicates the requirements in this document may require updating. The Town Board will be asked to commission Wendel to review it. A meeting will be held on Thursday, June 8th at 9AM with Schutt Engineering to review this potential project.

Buffalo Shooting Club

This Club’s Amherst property was sold to Benderson Development. They looked to relocate in the Town of Pembroke, but were turned down. Tom will contact the Pembroke Planning Board Chair to inquire as to the reason. They are now looking to purchase property on Billo Road from LaFarge in Newstead and in Alden. Ted McHugh will attend the June 12th meeting for a preapplication conference. A site plan and special use permit with a coordinated review would be in order.

Minutes Review

John O. motioned to approve the minutes of May 1, 2006, seconded by Terry:

- Tom Cowan -Aye
- Terry Janicz -Aye
- John Olaf -Aye
- Rick Meahl -Aye
- Andy Kelkenberg -Aye
- John Potera -Aye
- Don Hoefler -Aye

Local Law #3 of 2006 – Outdoor Wood Furnaces – was distributed.

John P. made a motion to adjourn the meeting at 9:18PM, seconded by Terry and all approved.

Respectfully submitted,

Christine Falkowski
Recording Clerk